

Examiner's objection to claim 2. Accordingly, Applicant respectfully requests withdrawal of this objection.

The Examiner rejected claims 8-14 under 35 U.S.C. § 112, second paragraph, as indefinite. The rejection of claims 8 and 10-14 is no longer relevant since these claims are no longer pending. Applicant has amended claim 9 to provide antecedent basis for all terms. Accordingly, Applicant submits that all claims comply with 35 U.S.C. § 112, second paragraph and respectfully requests withdrawal of this rejection.

The Examiner rejected claims 10-13 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 4,238,550 to Burgess et al. The Examiner rejected claims 1-9 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Burgess et al. in view of U.S. patent 6,327,981 to Nørregaard et al.

The rejection of claims 8 and 10-14 is no longer relevant since these claims are no longer pending. Applicant is not acquiescing to the rejection and reserves the right to pursue the subject matter recited in these claims in a continuation application.

Burgess et al. does not disclose the present invention as recited in claims 1-7 and 9 since, among other things, Burgess et al. does not suggest a car body for a rail vehicle and a beam for a car body for a rail vehicle. Rather, Burgess et al. suggests a dunnage bar, which has a different application and experiences different loads. Along these lines, the dunnage bar suggested by Burgess et al. positions loads in a rack or other shipping container, as described at col. 1, lines 4-

6. Such a dunnage bar is not meant to constitute a part of a wall construction. Burgess et al. does include any suggestion of other applications, particularly not as a beam in a car body for a rail vehicle.

Additionally, the longitudinal slot of the dunnage bar suggested by Burgess et al. receives buffer members used to prevent vibrations of a load during transport. The longitudinal bar is not operative as an attachment member for supporting a load. Hence, the longitudinal slot of the dunnage bar suggested by Burgess et al. differs from that of the present invention and would not be operative to carry at least one wall element and engage components to be supported by the beam. Consequently, it would not be obvious to one of ordinary skill in the art to modify the dunnage bar for use as a beam of a car body for a rail vehicle.

Combining the dunnage bar suggested by Burgess et al. with the carriage body suggested by Nørregaard et al. would not suggest the present invention since, among other things, Nørregaard et al. does not overcome the above-discussed deficiencies of the dunnage bar suggested by Burgess et al. Along these lines, Nørregaard et al. does not suggest a car body that includes a plurality of beams for carrying at least one wall element and including an attaching member operative to engage at least a part of at least one component intended to be supported by the beam. Therefore, the combination of Burgess et al. and Nørregaard et al. would suffer from the same shortcomings.

Nørregaard et al. shows a carriage body for a vehicle. The carriage body includes cover plates that include grooves for mounting frame elements at arbitrary positions along the carriage

body with connecting means that detachably interconnect the frame elements and the cover plates. The grooves have an extension perpendicular to the longitudinal direction of the frame elements. The grooves do not support internal components.

The embodiment of the carriage body shown in Fig. 18 of Nørregaard et al. includes a frame element that has connecting means that suspends heavy loads in the roof or in the floor of the carriage body. With the connecting means, it is possible to mount one internal component in a predetermined position. As a result, the frame element has no attaching member extending in the longitudinal direction of the frame element such that it is possible to mount a plurality of internal components in different positions.

In view of the above, the references relied upon in the office action, whether considered alone or in combination, do not suggest patentable features of the present invention. Therefore, the references relied upon in the office action, whether considered alone or in combination, do not make the present invention obvious. Accordingly, Applicant respectfully requests withdrawal of the rejection based upon the cited references.

In conclusion, Applicant respectfully requests favorable reconsideration of this case and early issuance of the Notice of Allowance.

If an interview would facilitate the prosecution of this application, Applicants urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge any insufficient fees and any credit overpayment associated with this communication to Deposit Account No. 19-5127, 19378.0040.

Respectfully submitted,

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